

**CITY OF NORWALK
PLANNING COMMISSION
July 17, 2018**

PRESENT: Frances DiMeglio, Chair; Brian Baxendale; David Davidson; Steven Ferguson; Tammy Langalis; Mike Mushak; Mary Peniston (on the phone from Denver, CO)

STAFF: Steven Kleppin; Mike Wrinn

OTHERS: Fire Chief Gino Gatto

I. CALL TO ORDER

Ms. DiMeglio called the meeting to order at 7:02 p.m.

II. ROLL CALL

Mr. Kleppin called the roll.

III. DISCUSSION AND/OR DECISION

a) Special Appropriation – Fire Department – Self contained breathing apparatus (SCBA air packs) \$133,915 – Report and recommended action

Mr. Wrinn introduced the Fire Chief, Gino Gatto. The Chief explained why the amount of funding increased. He explained the former chief had applied for monies in the 2016-2017. They are now at the end of their useful life after being purchased in 2004. They are new standards on the packs but the Fire Department cannot use the older packs anymore. They need 100 regulators and new masks. They went to bid in February 2018. A company in Waterford, CT would give the Fire Department a reduced rate which includes a maintenance plan. The first year is free and then the cost for the maintenance starts in year 2. He discussed the equipment further. The other vendor did not offer discounts. He explained all of the discounts that were being offered. There was a further discussion about the manufacturer, which Chief Gatto said they have used before. There was a discussion about the line item from the Capital Budget. There was also a discussion about where they could give the old equipment to, possibly outside of the United States.

***** MS. DIMEGLIO MOVED: BE IT RESOLVED** by the Planning commission that the capital project appropriation request from the Fire Department to appropriate \$133,915 in additional funds for new self-contained breathing apparatus (SCBA) air packs, masks, and regulators for firefighters (Acct. #0918-3110-5777-CO310) be **APPROVED**; and

BE IT FURTHER RESOLVED that the reasons for this action are:

1. To implement the Plan of Conservation and Development goal to “Ensure rapid Emergency service deployment for all areas of Norwalk.” (D.4.1. P.31); and

2. To implement the Plan of Conservation and Development goal to “Allow for the future needs of Norwalk to be met as identified in this plan (i.e. housing, economic growth, community facilities, etc.)” (F.1.1.6 p. 42) and

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Common Council.

Mr. Baxendale seconded.

Frances DiMeglio; Brian Baxendale; David Davidson; Steven Ferguson; Tammy Langalis; Mike Mushak; Mary Peniston (on the phone from Denver, CO) voted to approve.

No one opposed.

No one abstained.

b) Zoning Commission referral - #3-18R – Zoning Commission – Proposed amendment to Section 118- 100 Definitions regarding definition of family and related technical amendments – Report and recommended action

Mr. Kleppin began the presentation with a description of a ZBA application. The application was denied by the ZBA and the property no longer has a permit. He described the definitions of boarding or rooming house as well as family. He also noted that the state has also redefined “sober houses” recently and it is now protected. There was a discussion of the “single non-profit housekeeping unit” that was in the draft before the commissioners. Mr. Mushak did note that this is standard language in other larger CT cities. This led to a discussion about using a person’s home as an Air B&B. There was a discussion about how this proposed amendment began and how it was reviewed by the Zoning Department staff. There was a discussion about how the neighbors found out about this problem. Mr. Kleppin said that they received complaints about other rooming houses around the city, probably about 10-15 every year. Ms. DiMeglio asked the commissioners to look at the drafts of the approval and denial for this proposed amendment. There was a discussion about inspections by the Health Department as well as checks and balances between the Health Department and the Planning and Zoning Department for where they could be allowed. There was a discussion as to why the proposed amendment should change the definition of “family” from 5 unrelated people to 3 people. There was a discussion about the issues that this proposed amendment is addressing. Mr. Kleppin also read the Health Department regulations for the commissioners. Mr. Davidson moved the resolution in the packet and Mr. Baxendale seconded it. There was a continuation of the discussion before the vote. There was also a discussion about liens on properties. At this point, Ms. DiMeglio polled the commissioners. Mr. Ferguson, Mr. Baxendale and Mr. Mushak said they were for it. Ms. DiMeglio said she was not. Ms. Peniston asked if there was an amendment for 4. She voted yes. Tammy Langalis abstained.

***** MR. DAVIDSON MOVED: BE IT RESOLVED** that the proposed amendment to the Building Zone Regulations as shown on a certain document entitled “#3-18R – Zoning Commission – Proposed amendments to Articles 10 and 30 to revise the definition of family and remove lodging and rooming as an accessory use in residence zones and related technical amendments” and dated June 21, 2018, be **APPROVED**.

BE IT FURTHER RESOLVED that the reason for this action is:

1. To implement the Plan of Conservation and Development to “Protect residential neighborhoods from incompatible development (A.1.1.6, p. 10); and

2. To implement the Plan of Conservation and Development to “Preserve and enhance the character of Norwalk (A.1.1.4., p.10); and
3. To implement the Plan of Conservation and Development to “Protect property values” (A.1.1.5., p. 10)

BE IT FURTHER RESOLVED that notice of this action be forwarded to the Norwalk Zoning Commission.

Mr. Baxendale seconded.

Brian Baxendale; David Davidson; Steven Ferguson; Mike Mushak; Mary Peniston (on the phone from Denver, CO) voted to approve.

Frances DiMeglio opposed.

Tammy Langalis abstained.

b) Discussion regarding POCD

Mr. Kleppin said that he had sent the draft when he received it. There was a discussion about the plan of action. A draft would be provided in mid-late August. He said he would like the draft to be out to the public at the end of September. Ms. DiMeglio asked if anyone had read it and had comments. Ms. Peniston thanked him for getting an outline sooner. There will be concrete details provided. The commissioners began asking questions and making comments about the draft. Ms. Peniston noted that it could be reviewed over the 10 years. This would be smaller than the last POCD. Ms. Langalis said she had reviewed it but was hoping to discuss it further with the Planning Commissioners at the August meeting. Mr. Mushak pointed out the parts of the outline that he liked. There was then a discussion about the permit process which could make it a quick turnaround with certain different departments for referrals. Mr. Baxendale said that he did not have any comments to add. Ms. DiMeglio had comments on Economic Development, asked why it was not the first chapter. She thought there were more pages about the Art Commission and Historical Society than about the economy. There was a discussion about the lack of art around the city; however, some commissioners thought that economic development should be before the pages on art and history commissions. There was a discussion about adding education which drives people to purchase homes in Norwalk. There was a discussion about how to re-prioritize the outline which should start with economic development, transportation, etc. There was a discussion about having another meeting with the oversight committee. They also discussed about having comments sent to Mr. Kleppin from the Planning Commission and what should be approved and moved forward to StanTec. Mr. Kleppin would try to find a date for the oversight committee later in July.

IV. APPROVAL OF MINUTES: June 19, 2018

Mr. Mushak suggested language about a comment from Mr. Davidson on page 2. There was a discussion on page 2 about whether to use the word “cost” which was then changed to “request.” Mr. Mushak also suggested a few other changes to that paragraph he had written down and handed over to the secretary for inclusion into the minutes.

MS. DIMEGLIO MOVED to approve the Planning Commission minutes of May 15, 2018, as amended.

Ms. Langalis seconded.

Frances DiMeglio; Brian Baxendale; David Davidson; Tammy Langalis; Mike Mushak; Mary Peniston (on the phone from Denver, CO) voted in favor.

No one opposed.

Steven Ferguson abstained.

V. COMMENTS OF THE DIRECTOR

Mr. Kleppin had no comments.

VI. COMMENTS OF COMMISSIONERS

Mr. Ferguson announced that he got married on Sheffield Island in June. He thought that everyone should use the Norwalk Seaport Association and Sheffield Island more. It was a good experience. Mr. Mushak had also used the island and thought it was a good experience along with the Maritime Aquarium.

Mr. Davidson discussed how to get an item on the agenda from Robert's Rules and read from their website. He noted that the Chair was not the only one to set the agenda but it could come from any of the commissioners. Mr. Kleppin noted that if there was an item to be voted on, it could not be done because of the Freedom of Information Act. Mr. Davidson said that any member of the Commission had the right to put an item on the agenda. He then gave a specific example of requesting for an item to be on the agenda and the Chair ruled that it was not necessary so it was not put on the agenda. He thought that it should be established that any of the commissioners had a right to add to the agenda. Ms. DiMeglio noted that she could not find anything about this when she reviewed the Robert's Rules book. She said that at the next meeting, it be stated in writing where it was in the book. She then explained that there had been an email addressed to her requesting things from the CNNA and that everyone had seen the answers. She had not wanted to rehash it on the agenda. She wanted an official ruling as to how items were to be put on the agenda. Mr. Kleppin would look in the by-laws.

Ms. Langalis thanked the staff for the updated list of projects that were being worked on in the city. Mr. Mushak also thanked the staff. There was a discussion about where to find it on the city's website.

Ms. DiMeglio said that Tim Sheehan emailed Mr. Kleppin that the Redevelopment Agency would come to discuss items at Planning Commission meetings, whenever they requested.

VII. ADJOURNMENT

Ms. Langalis made a Motion to Adjourn

Mr. Ferguson seconded.

Frances DiMeglio; Brian Baxendale; David Davidson; Steven Ferguson; Tammy Langalis; Mike Mushak; Mary Peniston (on the phone from Denver, CO) voted to approve.

No one opposed.

No one abstained.

The meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Diana Palmentiero